

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

TRAVIS J. FLOWERS

PETITIONER

V.

CIVIL ACTION NO. 3:21-CV-432-DPJ-FKB

RICK MCDANIEL

RESPONDENT

ORDER

This petition for habeas corpus relief is before the Court on the Report and Recommendation [8] of United States Magistrate Judge F. Keith Ball. Judge Ball surmised that Petitioner is asserting employment discrimination and is not claiming that he was convicted of a crime. R&R [8] at 1. So, Judge Ball entered three Orders directing Petitioner to indicate whether he is incarcerated (or had previously been incarcerated) and what type of claim he is advancing. *Id.*; *see* Orders [2, 3, 4].

Petitioner responded to the third Order but did not address Judge Ball's questions. R&R [8] at 2; *see* Resp. [7]. As a result, Judge Ball recommended dismissal of this "habeas" petition. R&R [8] at 2 (citing *Pierre v. United States*, 525 F.2d 933, 935–36 (5th Cir. 176) ("Simply stated, habeas is not available to review questions unrelated to the cause of detention. Its sole function is to grant relief from unlawful imprisonment or custody[,] and it cannot be used properly for any other purpose.")). Petitioner did not file an objection, and the time to do so has passed. *See* Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

The Court finds the unopposed Report and Recommendation [8] should be adopted as the opinion of the Court. This action is dismissed. A separate judgment will be entered.

SO ORDERED AND ADJUDGED this the 27th day of September, 2023.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE